

Remarks

By this amendment we believe we have placed the application in condition for immediate allowance in compliance with "Revised Amendment Practice: 37 CFR 1.121 Changed" as set forth in the flyer "Rev. 3 (07/24/03)". We comment that this application has had quite a long pendency and hence allowance at the Examiner's early convenience is respectfully requested.

We draw the Examiner's attention that, to our knowledge, the Patent Office file of this application is in the process of being returned to TC 1700 and Group Art Unit 1742 from the BPA&I and hence it is conceivable that this Amendment will reach Group Art Unit 1742 before the physical PTO file does. Anything the Examiner can do to expedite assembly of this Amendment to the physical file would be greatly appreciated. For the Examiner's convenience and possible use we mention that the number at the BPA&I was 2001-0359.

By a separate submission filed simultaneously herewith and entitled "Letter Submitting Balance of 37 CFR 1.20(d) Fee" we are submitting a \$10 check for said balance. We earlier filed a Letter transmitting a check for a 37 CFR 1.20(d) fee at the BPA&I but from a January 28, 2005 telephone conference with Administrator Fineberg at the BPA&I we were informed (1) that the BPA&I had no facility for accepting fees and (2) the tendered fee, though acknowledged to be received on January 21, 2005 by the Patent Office, would be sent to the appropriate location for processing - which we believe to be the Technical Center.

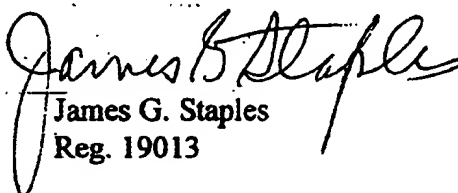
In the event this submission, together with the accompanying Letter is not complete in any respect, the Examiner is requested to inform the applicant at his early convenience and provide a grace period of 20 days or more to enable applicant to attend to any outstanding matters.

And finally we acknowledge with appreciation the courteous telephone discussion with Examiner Wyszomierski on which the current status of this application was discussed and from which we understood that upon filing of the terminal disclaimer the double patenting rejection would be overcome and, since that was the only issue in the application (except for the submission of a clean set of claims which has herewith been attended to), the application would be allowed.

Please know we are available during office hours in person or by voice mail should our participation be helpful to the Examiner.

Respectfully submitted,

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